

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Daenzal Xavier Murphy

Docket No. 7:16-CR-120-2D

Petition for Action on Supervised Release

COMES NOW Kyle Kusmierczyk, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Daenzal Xavier Murphy, who, upon an earlier plea of guilty to Conspiracy to Distribute a Quantity of Heroin and Distribution of a Quantity of Heroin and Aiding and Abetting, in violation of 21 U.S.C. §§ 846, 841(b)(1)(C), and 841(a)(1), and 18 U.S.C. § 2, was sentenced by the Honorable James C. Dever III, Chief U.S. District Judge, on July 19, 2017, to the custody of the Bureau of Prisons for a term of 14 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Daenzal Xavier Murphy was released from custody on March 26, 2018, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: Murphy was scheduled to serve two days in jail for a positive drug test pursuant to his DROPS condition. Murphy was scheduled to start serving this confinement at 8:00 a.m. on Saturday, April 28, 2018; however, he failed to report to the New Hanover County Jail to satisfy this obligation. It is respectfully requested Murphy be rescheduled to serve the two days jail confinement as scheduled by the Bureau of Prisons.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

The two day DROPS sanction which the defendant failed to complete be rescheduled.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton

Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Kyle Kusmierczyk

Kyle Kusmierczyk
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-679-2034
Executed On: May 15, 2018

ORDER OF THE COURT

Considered and ordered this 25 day of May, 2018, and ordered filed and made a part of the records in the above case.

James C. Dever III
James C. Dever III
Chief U.S. District Judge